

CITY OF EL PASO, TEXAS
AGENDA ITEM DEPARTMENT HEAD'S SUMMARY FORM

DEPARTMENT: Planning and Economic Development Department

AGENDA DATE: Introduction: March 29, 2011
Public Hearing: April 19, 2011

CONTACT PERSON/PHONE: Esther Guerrero, (915) 541-4720

DISTRICT(S) AFFECTED: 4

SUBJECT:

An ordinance changing the effective date of Ordinance No. 017504, which will change the zoning of Lot 2, Block 6, Castner Range Unit One, City of El Paso, El Paso County, Texas from R-4 (Residential) to A-O (Apartment-Office) from April 26, 2011 to May 25, 2011. The penalty is as provided for in Chapter 20.24 of the El Paso City Code. Subject Property: Stahala Drive, East of Kenworthy Street. **(District 4)**

BACKGROUND / DISCUSSION:

N/A

PRIOR COUNCIL ACTION:

Ordinance No. 017504 approved by City Council on March 1, 2011 (Rezoning Case No. ZON10-00016)

AMOUNT AND SOURCE OF FUNDING:

N/A

BOARD / COMMISSION ACTION:

N/A

*****REQUIRED AUTHORIZATION*****

LEGAL: (if required) N/A

FINANCE: (if required) N/A

DEPARTMENT HEAD: Mathew S. McElroy
Deputy Director-Planning and Economic Development

APPROVED FOR AGENDA:

CITY MANAGER: _____

DATE: _____

ORDINANCE NO. _____

AN ORDINANCE CHANGING THE EFFECTIVE DATE OF ORDINANCE NO. 017504, WHICH WILL CHANGE THE ZONING OF LOT 2, BLOCK 6, CASTNER RANGE UNIT ONE, CITY OF EL PASO, EL PASO COUNTY, TEXAS FROM R-4 (RESIDENTIAL) TO A-O (APARTMENT-OFFICE) FROM APRIL 26, 2011 TO MAY 25, 2011. THE PENALTY IS AS PROVIDED FOR IN CHAPTER 20.24 OF THE EL PASO CITY CODE.

WHEREAS, as March 1, 2011, the E Paso City Council approved, with an effective date of April 26, 2011, the rezoning of *Lot 2, Block 6, Castner Range Unit One, City of El Paso, El Paso County, Texas*, from R-4 (Residential) to A-O (Apartment-Office) subject to conditions that were necessary and attributable to the change in zoning; and,

WHEREAS, due to the lack of the infrastructure necessary to support the increased intensity of the zoning, and in order to allow the property owner time to provide documentation to ensure that such infrastructure would be provided, the effective date of the ordinance was April 26, 2011; and,

WHEREAS, the property owner needs additional time to secure the necessary documentation;

NOW THEREFORE, BE IT ORDAINED BY THE CITY COUNCIL OF THE CITY OF EL PASO:

That the effective date of Ordinance No. 017504, dated March 1, 2011, which will change the zoning of *Lot 2, Block 6, Castner Range Unit One, City of El Paso, El Paso County, Texas*, from R-4 (Residential) to A-O (Apartment-Office), be changed from April 26, 2011 to May 25, 2011.

PASSED AND APPROVED this _____ day of _____, 2011.

THE CITY OF EL PASO

John F. Cook
Mayor

ATTEST:

Richarda Duffy Momsen, City Clerk

APPROVED AS TO FORM:

Lupe Cuellar
Assistant City Attorney

APPROVED AS TO CONTENT:

Mathew S. McElroy, Deputy Director
Planning & Economic Development



Date: March 22, 2011
To: Honorable Mayor and City Council
Joyce Wilson, City Manager
From: Esther Guerrero, Planner
Subject: Effective date change for Ordinance No. 017504

Ordinance No. 017504 dated March 1, 2011, granted the rezoning of the subject property from R-4 (Residential) to A-O (Apartment/Office) based on the condition that the property owner provide documentation to ensure that infrastructure would be provided by the effective date of April 26, 2011. The condition imposed on the subject property was necessitated by and attributable to the increased density of use generated by the change of zoning. (See attached Ordinance No. 017504)

The property owner needs additional time to secure the necessary documentation, including a title commitment and a bond. If approved, the effective date for Ordinance No. 017504 will be changed from April 26, 2011 to May 25, 2011.

Attachments: Ordinance No. 017504, Location Map

Mayor
John F. Cook

City Council

District 1
Ann Morgan Lilly

District 2
Susannah M. Byrd

District 3
Emma Acosta

District 4
Carl L. Robinson

District 5
Rachel Quintana

District 6
Eddie Holguin Jr.

District 7
Steve Ortega

District 8
Beto O'Rourke

City Manager
Joyce A. Wilson



ORDINANCE NO. 017504

AN ORDINANCE CHANGING THE ZONING OF LOT 2, BLOCK 6, CASTNER RANGE UNIT ONE, CITY OF EL PASO, EL PASO COUNTY, TEXAS FROM R-4 (RESIDENTIAL) TO A-O (APARTMENT-OFFICE). THE PENALTY IS AS PROVIDED FOR IN CHAPTER 20.24 OF THE EL PASO CITY CODE.

NOW THEREFORE, BE IT ORDAINED BY THE CITY COUNCIL OF THE CITY OF EL PASO:

1. That the zoning of *Lot 2, Block 6, Castner Range Unit One, City of El Paso, El Paso County, Texas*, be changed from **R-4 (Residential)** to **A-O (Apartment-Office)**, within the meaning of the zoning ordinance, and that the zoning map of the City of El Paso be revised accordingly.

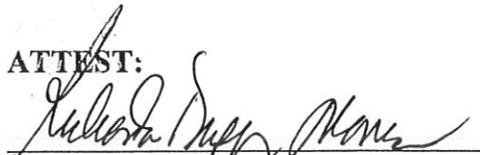
2. Further, that the property described above be subject to the following condition which is necessitated by and attributable to the increased density of use generated by the change of zoning in order to protect the health, safety and welfare of the adjacent property owners and to provide adequate and safe access for emergency vehicles and the residents who will reside within the property described above:

That no building permits shall be issued for the above described property until a roadway bridge has been constructed over the Northgate Outlet Channel and no certificates of occupancy shall be issued for the property described above until Stahala Improvements have been inspected and approved by the City.

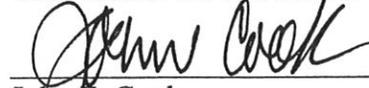
3. The effective date of this Ordinance shall be April 26, 2011. Provided however, the City Council retains its legislative authority to amend or repeal this ordinance as provided by law, including the taking of such action prior to the effective date of this Ordinance.

PASSED AND APPROVED this 1st day of March, 2011.

ATTEST:


Richarda Duffy Mohnsen, City Clerk

THE CITY OF EL PASO


John F. Cook
Mayor

SIGNATURES CONTINUE ON FOLLOWING PAGE

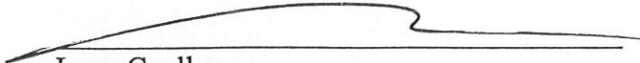
ORDINANCE NO. 017504

Zoning Case No: ZON10-00016

CITY CLERK DEPT.

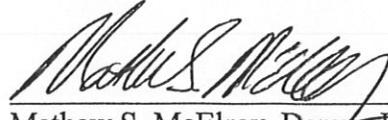
2011 FEB 24 PM 2:55

APPROVED AS TO FORM:



Lupe Cuellar
Assistant City Attorney

APPROVED AS TO CONTENT:



Mathew S. McElroy, Deputy Director
Planning & Economic Development

ORDINANCE NO. **017504**

#61495 v1 - Planning/ORD ZON10-00016 Rezoning
Document Author: LCUE

Zoning Case No: ZON10-00016

ZON10-00016

